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Attorney for Defendant
OMAR CASTRO-ALEJO

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:20-cr-169 WBS
)	
Plaintiff,)	STIPULATION AND ORDER TO
)	CONTINUE STATUS CONFERENCE AND
vs.)	EXCLUDE TIME
)	
OMAR CASTRO-ALEJO,)	Date: August 16, 2021
)	Time: 9:00 a.m.
Defendant.)	Judge: Hon. William B. Shubb
)	

By this stipulation, the parties move to continue the status conference until September 20, 2021, at 9:00 a.m., and to exclude time between August 16, 2021 and September 20, 2021, under Local Code T4.

The parties agree and stipulate, and request that the Court find the following:

a. The government has produced discovery which defense counsel will need further time to review and discuss with the defendant because of the difficulties of communicating with Mr. Castro-Alejo at the jail during the pandemic.

b. Defense counsel believes that failure to grant the above-requested continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

c. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the

1 original date prescribed by the Speedy Trial Act.

2 d. For the purposed of computing time under the Speedy Trial Act, 18 U.S.C. §
3 3161, et seq., within which trial must commence, the time period of August 16, 2021 to
4 September 20, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A),
5 B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's
6 request on the basis of the Court's finding that the ends of justice served by taking such action
7 outweigh the best interest of the public and the defendant in a speedy trial.

8 Nothing in this stipulation and order shall preclude a finding that other provisions of the
9 Speedy Trial Act dictate that additional time periods are excludable from the period within which
10 a trial must commence.

11
12 DATED: August 9, 2021

Respectfully submitted,

13 HEATHER E. WILLIAMS
14 Federal Defender

15 /s/ Noa E. Oren
16 NOA E. OREN
17 Assistant Federal Defender
Attorney for OMAR CASTRO-ALEJO

18 DATED: August 9, 2021

PHILLIP A. TALBERT
Acting United States Attorney

20 /s/ Justin Lee
21 Justin Lee
22 Assistant United States Attorney
Attorney for Plaintiff

ORDER

The Court, having received, read, and considered the stipulation of the parties, and good cause appearing, adopts the stipulation in its entirety as its order. The Court specifically finds that the failure to grant a continuance in this case would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and defendant in a speedy trial.

The Court orders a status conference on September 20, 2021, at 9:00 a.m. The Court orders the time from August 16, 2021 up to and including September 20, 2021, excluded from computation of time within which the trial of this case must commence under the Speedy Trial Act, pursuant to 18 U.S.C. §§3161(h)(7), and Local Code T4.

Dated: August 10, 2021



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE